

line," so that said section one shall read' as follows :
 Section 1. Frederick G. Stanley, Emory D. Stanley, Charles A. Stanley and Bert E. Reid, their heirs and assigns, are hereby authorized to erect and maintain a sufficient number of dams across the Court Oreille river, in Chippewa county, Wisconsin, at such points : *provided*, that no flooding dam shall be placed east of the east line of township thirty-eight, of range eight west, upon said river, as may be necessary for the purpose of facilitating the running and driving of logs and timber to and down the Chippewa river.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved February 20, 1879.

[No. 213, A.]

[Published February 25, 1879.]

CHAPTER 28.

AN ACT to authorize William T. Price, his associates and assigns to erect and maintain a dam or dams across, and make other improvements in O'Neil Creek, in Clark county.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows :

Where and by whom dam to be built.

SECTION 1. For the purpose of improving O'Neil Creek, in Clark county, so as to improve the navigation thereof, and facilitate the driving and floating of logs and timber in and down said O'Neil Creek, William T. Price, his associates and assigns, are hereby authorized and empowered, and right and authority is to him, his associates or assigns, hereby granted to build, erect and maintain a dam or dams in and across O'Neil Creek, in such number and of such height as may be necessary. Also to improve said O'Neil Creek for driving logs, by closing sloughs, clearing and straightening the channel thereof, and building and maintaining side dams and booms, and to keep said dam or dams and other improvements in repair, and operate and use the same at all times for flooding and other purposes for the driving and floating of all logs and timber that may be put into said O'Neil Creek or tributaries thereof.

After expenditure of \$5,000 in improvements, toll may be charged.

SECTION 2. Whenever the said William T. Price, his associates or assigns, shall have expended in improvements in said O'Neil Creek, the sum of five thous-

and dollars, said William T. Price, his associates or assigns, in consideration of the building, maintaining and operating said dam or dams and other improvements, and the facilities thereby obtained for floating and driving logs and timber on said O'Niel Creek, shall be and are hereby authorized and permitted to charge, and entitled to collect and receive of any and all persons owning or controlling logs and timber or either, in said O'Niel Creek, twenty-five cents per thousand feet, board measure, as toll, on all logs and timber designated and intended to be driven or floated down said O'Niel Creek. The amount of said logs or timber to be determined by and under the direction of the lumber inspector of the district in which said O'Niel Creek is situated or by mutual agreement of parties.

SECTION 3. The said William T. Price, his associates or assigns, shall operate said dam or dams, and other improvements, at all times during the season of driving logs, in an impartial manner, and in a way to afford the greatest facility to all parties driving logs down said O'Niel Creek. Partialty not to be shown.

SECTION 4. The said William T. Price, his associates and assigns, shall have a lien upon all logs put in O'Niel Creek, that may be floated or driven down said O'Niel Creek, for and at the rate of the charges for toll mentioned and allowed him in section two of this act and any and all charges for toll that said William T. Price may have on account of the erection, maintaining and operating said dam or dams and other improvements, shall be a lien upon such logs or timber, and unless paid on or before ten days after the same are driven or floated out of said O'Niel Creek all of such charges for toll may be enforced by said William T. Price, his associates or assigns, in the same manner as other liens for services and labor performed on logs are enforced under the laws of this state. Lien upon logs for toll due.

SECTION 5. This act shall take effect and be in force from and after his passage and publication.

Approved February 20, 1879.